

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: David Quigley, AICP, Planning and Zoning Manager/(954) 797-1103

PREPARED BY: Carlo F. Galluccio III, Planner I

SUBJECT: Resolution

AFFECTED DISTRICT: 2

ITEM REQUEST: Schedule for Council Meeting

TITLE OF AGENDA ITEM: DELEGATION REQUEST - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "THE ORANGE DRIVE - PINE ISLAND PLAT," AND PROVIDING AN EFFECTIVE DATE. (DG 8-1-09, Zinn, 4450 South Pine Island)

REPORT IN BRIEF: The petitioner requests approval to amend the following recorded restrictive note on the plat known as "The Orange Drive - Pine Island Plat," to accommodate the United States Post Office within the existing gas station.

FROM: Parcel A is restricted to 13,000 square feet of commercial use and a Charter School comprised of 18,288 square feet of elementary school and 9,144 square feet of middle school.

Parcel B is restricted to 118 single family homes.

Parcel C is restricted to 4.26 acres of public park.

Parcel D is restricted to .59 acres of utility site.

TO: Parcel A is restricted to 9,036 square feet of unrestricted commercial use (6,712 square feet of existing and 2,324 square feet of proposed); an eight (8) fueling position service station with a 2,024 square foot canopy, a 710 square foot carwash, and 3,260 square feet of convenience store (2,575 existing and 685 proposed); and a Charter School comprised of 18,288 square feet of elementary school and 9,144 square feet of middle school.

Parcel B is restricted to 118 single family homes.

Parcel C is restricted to 4.26 acres of public park.

Parcel D is restricted to .59 acres of utility site.

Staff finds the proposed plat amendment consistent with the existing and future use of the subject site.

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Other - Staff finds the application complete and suitable for transmittal to Town Council for further consideration.

Attachment(s): Resolution; Justification letter; Plat; Note Amendment; Future Land Use Plan Map; and Zoning Site Map

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS “THE ORANGE DRIVE - PINE ISLAND PLAT,” AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as the “The Orange Drive - Pine Island Plat” was recorded in the public records of Broward County in Plat Book 148, Pages 31, Broward County Records; and

WHEREAS, the owner desires to amend the restrictive note associated with said plat; and,

WHEREAS, Broward County requires that the Town of Davie concur with this amendment prior to a review of the proposed revision by Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve the proposed amendment to the “The Orange Drive - Pine Island Plat” (Plat Book 148, Pages 31, Broward County Records) being specifically described in the exhibits attached thereto.

SECTION 2. Any improvements required to satisfy Transit Oriented Concurrency should be located within the Town of Davie on the local road network.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2009.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2009.



DAVIS & PURMORT, INC.

Land Surveyors Land Development Consultants Planners

843 Southeast 8th Avenue, Deerfield Beach, FL 33441-5609

Phone: 954-698-9101 or 954-421-9101

Fax: 954-421-5201

August 3, 2009

Town of Davie
Planning & Zoning Division
6591 Orange Drive
Davie, Florida 33314-3399

RE: **Justification letter for
The Orange Drive – Pine Island Plat**

Dear Planning & Zoning Department:

In connection to our client, Zinn Petroleum LLC, planned addition to above-mentioned parcel, Broward County is requesting a letter from the Town of Davie stating no objection to the precise current and proposed note language approved by Broward County.

We are now requesting approval to the Town of Davie for the earliest Town Council agenda.

Thanks you in advance.

Sincerely,

Paul A. Davis, PSM

Vice President

cc: Mr. David Zinn
Zinn Petroleum LLC
4450 South Pine Island Road
Davie, FL 33024

Ltr/ Zinn no objection

*Subdivisions Condominiums Land & Site Planning Lot Surveys Mortgage Surveys Alta Surveys
Acreage Surveys Topographic Surveys Record Plats Condominium Plats Construction Layouts*

OR BOOK 18264 Page 769

PLAT BOOK 1442 SHEET 1 OF 2

THE ORANGE DRIVE - PINE ISLAND PLAT
A PORTION OF THE WEST 1/2 OF SECTION 28, TOWNSHIP 30 SOUTH, RANGE 41 EAST,
A REPLAT OF A PORTION OF TRACTS 21 & 22, SECTION 28, TOWNSHIP 30 SOUTH, RANGE 41 EAST,
NEWMAN'S SURVEY, PLAT BOOK 2, PAGE 26, DADE COUNTY RECORDS,
TOWN OF DAVE, BROWARD COUNTY, FLORIDA

REMANDED TO:
SHAH • DROTOS & ASSOCIATES
DEVELOPMENT CONSULTANT - COMMERCE, PLANNING
4571 N.W. 11TH AVENUE, SUITE 200
MIAMI, FL 33150 (305) 755-1504 DATED: COMBAT, FL

CENTRAL BROWARD DRAINAGE DISTRICT
THE PLAT IS HEREBY APPROVED AND ACCEPTED FOR RECORD THE
DATE: 11-1-01

PLANNING AND ZONING BOARD
THIS IS TO CERTIFY THAT THE PLAT HAS BEEN REVIEWED BY THE PLANNING AND
ZONING BOARD OF THE TOWN OF DAVE, FLORIDA, THE 11TH DAY
OF NOVEMBER, 2001.

BROWARD COUNTY OFFICE OF PLANNING
THIS PLAT IS HEREBY APPROVED AND ACCEPTED FOR RECORD.
DATE: 11-1-01

BROWARD COUNTY ENGINEERING DIVISION
THIS PLAT IS HEREBY APPROVED AND ACCEPTED FOR RECORD.
DATE: 11-1-01

BROWARD COUNTY PLANNING COUNCIL
THIS IS TO CERTIFY THAT THE BROWARD COUNTY PLANNING COUNCIL HAS REVIEWED THE
PLAT SUBJECT TO ITS COMPLIANCE WITH SECTION 170.01(1) OF THE FLORIDA
CONSTITUTION AND THE BROWARD COUNTY PLANNING COUNCIL HAS
APPROVED THE PLAT FOR RECORD.

BROWARD COUNTY FINANCE AND ADMINISTRATIVE
SERVICES DEPARTMENT, COUNTY RECORDS DIVISION-
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THIS PLAT COMPLETES WITH THE APPROVAL OF THE BROWARD COUNTY PLANNING
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Current Note:

Parcel A is restricted to 13,000 square feet of commercial use and a Charter School comprised of 18,288 square feet of elementary school and 9,144 square feet of middle school.

Parcel B is restricted to 118 single family homes.

Parcel C is restricted to 4.26 acres of public park.

Parcel D is restricted to .59 acres of utility site.

Proposed Note:

Parcel A is restricted to 9036 square feet of unrestricted commercial use (6712 square feet of existing and 2324 square feet of proposed); an eight (8) fueling position service station with a 2024 square foot canopy, a 710 square foot carwash, and 3260 square feet of convenience store (2575 existing and 685 proposed); and a Charter School comprised of 18,288 square feet of elementary school and 9,144 square feet of middle school.

Parcel B is restricted to 118 single family homes.

Parcel C is restricted to 4.26 acres of public park.

Parcel D is restricted to .59 acres of utility site.

[illegible][illegible]

DECLASSIFIED

APPROVED: Don Quintero BY: Richard H. Holt
SPECIAL AGENT IN CHARGE

DATE: 11/21/94 BY: SP-4 G. S. Galt 11/21

NAME OF PERSON: _____ SEX: _____
DATE OF BIRTH: _____
COUNTRY OF BIRTH: _____

I, HENRY CARTER, being on the day before an officer duly qualified in this matter, personally saw and know the person named above.

Signature: Richard H. Holt in _____
Special Agent in Charge

I was then equipped the foregoing information to the _____ on _____ 1971. Received and incorporated in the personnel file of _____.

ENTERED my name and office was _____
11/21/94

Signature: Richard H. Holt
Special Agent in Charge

My declaration is correct.



- Zoning**
- Streets**
- DEDICATION, OWNERSHIP**
- PRIVATE ROAD, PRIVATE, LOCAL OWNED
 - PUBLIC, OWNER NOT SPECIFIED
 - PUBLIC, COUNTY OWNED
 - PUBLIC, LOCAL OWNED
 - PUBLIC, STATE OWNED
 - DEDICATION NOT LISTED
 - DEDICATION NEEDS VERIFICATION
- Town Boundary**
- Parcels**

199 ft

GIS MAP DISCLAIMER

The information on this map is for graphical purposes only. It does not represent a legal survey and has not been prepared or is it suitable for legal, engineering, or surveying purposes. While every effort has been made to ensure that these data are accurate and reliable the Town of Davie cannot assume liability for any damages caused by any errors or omissions in the data.

